

27762. Egg noodles. (F.D.C. No. 46806. S. Nos. 3-148 T, 3-679 T.)

QUANTITY: 191 cases, 12 12-oz. pkgs. each, at Baltimore, Md.

SHIPPED: 9-6-61 and 10-9-61, from Buffalo, N.Y., by Gioia Macaroni Co., Inc.

LABEL IN PART: (Pkg.) "Gioia Brand Enriched Egg Noodles * * * Gioia Macaroni Co., Inc., Buffalo, N.Y."

RESULTS OF INVESTIGATION: Examination showed that the article failed to conform to the definition and standard of identity for enriched egg noodles in that the total solids of the article contained less than 5.5 percent by weight of solids of egg, or egg yolk.

LIBELED: 12-21-61, Dist. Md.

CHARGE: 402(b)(1)—when shipped, the valuable constituent, egg or egg yolk solids, had been in whole or in part omitted from the article; and 403(g)(1)—the article failed to conform to the definition and standard of identity for enriched egg noodles.

DISPOSITION: 1-23-62. Default—destruction.

27763. Egg noodles. (F.D.C. No. 46955. S. No. 24-247 T.)

QUANTITY: 46 cases, 12 bags each, at Cleveland, Ohio.

SHIPPED: 12-28-61, from Louisville, Ky., by Delmonico Foods, Inc.

LABEL IN PART: (Bag) "Fisher's Enriched Pure Egg Noodles 5½% Egg Solids * * * Distributed by The Fisher Bros. Co."

RESULTS OF INVESTIGATION: Examination showed that the article failed to conform to the definition and standard of identity for egg noodles, in that the total solids of the article contained less than 5.5 percent by weight of solids of egg, or egg yolk.

LIBELED: 2-6-62, N. Dist. Ohio.

CHARGE: 402(b)(1)—when shipped, the valuable constituent, namely, egg or egg yolk solids, had been in whole or in part omitted from the article; 403(a)—the label statement "Contains 5½% Egg Solids" was false and misleading; 403(e)(1)—the article failed to bear a label containing the place of business of the distributor; and 403(g)(1)—the article failed to conform to the definition and standard of identity for egg noodles.

DISPOSITION: 3-14-62. Default—destruction.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS*

27764. Wheat. (F.D.C. No. 47004. S. No. 28-754 T.)

QUANTITY: 107,420 lbs. at Kansas City, Kans.

SHIPPED: 1-17-62, from Table Rock, Nebr., by Binder Grain Co.

LIBELED: 1-31-62, Dist. Kans.

CHARGE: 402(a)(3)—contained rodent excreta pellets when shipped.

DISPOSITION: 3-1-62. Consent—claimed by Root Grain Co., Kansas City, Mo. Segregated; 4,300 lbs. denatured.

27765. Wheat. (F.D.C. No. 47052. S. No. 51-057 T.)

QUANTITY: 117,600 lbs. at Hillyard, Wash.

SHIPPED: 2-6-62, from Macon, Mont., by F. H. Peavey-Occident Elevator Co.

*See also No. 27753.